

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK HOLBROW,

Plaintiff,

v.

MYLIFE.COM, INC.

Defendant.

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CIVIL ACTION

No. 21-819

ORDER

AND NOW, this 10th day of November, 2021, upon consideration of Defendant, MyLife.com, Inc.'s "Motion to Dismiss Or, In The Alternative, Motion To Compel Arbitration" (ECF No. 12), and Plaintiff's response in opposition (ECF No. 13), and for the reasons set forth in my accompanying Memorandum Opinion, it is hereby **ORDERED** as follows:

1. Defendant's Motion (ECF No. 12) is **DENIED without prejudice**.
2. The parties shall conduct limited discovery on the narrow issue of whether an agreement to arbitrate the present dispute exists.
3. **On or before February 8, 2022**, Defendant shall refile its Motion on this issue, pursuant to Federal Rule of Civil Procedure 56.¹
4. **On or before March 1, 2022**, Plaintiff shall file a response.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.

¹ Once the issue of arbitrability is resolved, Defendant may refile its Motion to Dismiss, pursuant to Rule 12(b)(6), if necessary.